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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPHINE DI VINCENZO

Plaintiffs,

vs.

SOLOMON WOJI DENBEL; WHITTLESEA
BLUE CAB COMPANY, a Nevada corporation;
GLENN WILLIAM MURPHY; DOES I-X,
inclusive; ABC CORPORATIONS, inclusive;
and XYZ PARTNERSHIPS, inclusive

Defendants.

CASE NO.: 2:19-CV-01994-JAD-VCF

**Order Adopting Report and
Recommendation and Remanding
Action to State Court**

ECF Nos. 29, 30

IT IS HEREBY STIPULATED AND AGREED, by all parties, by and through their
respective counsel of record, to remove this matter to the Eighth Judicial District Court of Clark
County, NV and to stay all present discovery deadlines pending issuance of a new discovery
calendar.

1 **A. INTRODUCTION AND BACKGROUND**

2 This matter concerns alleged personal injury damages sustained by Plaintiff Josephine
3 Divencenzo following a motor vehicle accident which occurred in Las Vegas, NV on or about
4 October 7, 2017. The parties remaining in this action are Ms. Di Vincenzo, a citizen and resident
5 of Canada, Solomon Woji Denbel, a resident of Clark County, NV, and Whittlesea Blue Cab
6 Company, a Nevada corporation licensed and authorized to do business in Clark County, NV.
7 This matter was previously assigned to the Eighth Judicial District Court of Clark County, NV
8 before being removed to the Federal District Court of Nevada on or about November 15, 2019,
9 by Glenn William Murphy, who is now dismissed from this action after an Order of Good Faith
10 Settlement. This matter has proceeded in this Court since that time.

11 **B. ARGUMENT**

12 The remaining parties in this matter are now in agreement and wish to have this matter
13 removed back to the Eighth Judicial District Court for the remainder of discovery, trial and final
14 resolution. As this matter concerns multiple local parties and events that primarily occurred here
15 in Clark County, NV, the Eighth Judicial District Court has sufficient jurisdiction of this matter
16 and would be a proper venue. Further, there are multiple upcoming discovery deadlines in this
17 matter, including initial expert witness disclosures and designations due in June 2020 and a close
18 of discovery in August 2020. Several factors make the current deadlines untenable, including the
19 recent dismissal of previous defendant Glenn William Murphey, this request for removal to a
20 new venue, and the need to take additional pertinent depositions prior to the close of discovery,
21 among others. Attempts to complete these tasks in accordance with the current deadlines have
22 been significantly complicated by the ongoing national health crisis caused by the COVID-19
23 pandemic. Given that the Eighth Judicial District Court will soon be taking jurisdiction of this
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1 matter, the parties believe it would be most appropriate to stay all current discovery deadlines
2 until that court can issue a new discovery order with all of these factors and remaining case
3 needs taken into consideration.

4 **C. CONCLUSION**

5 For all the reasons discussed above, we the undersigned, stipulate and agree to the
6 removal of this matter from the present Nevada District Federal Court to the Eighth Judicial
7 District Court of Clark County, NV (EJD), as well as the staying of all present discovery
8 deadlines pending the issuance of a new discovery scheduling order from the EJD.
9

10 **IT IS SO STIPULATED.**

11 **JOHN H. COTTON & ASSOCIATES, LTD.**

12 */s/ John H. Cotton*

DATED: 05-27-2020

13 JOHN H. COTTON, ESQ.

14 Nevada Bar No.: 5268

15 TODD M. WEISS, ESQ.

16 Nevada Bar No.: 14130

17 MARK E. TRAFTON, ESQ.

18 Nevada Bar No.: 6525

19 *Attorneys for Defendants*

20 **BRADSHAW LAW, LLC**

21 */s/ Denise Bradshaw*

DATED: 05-27-2020

22 DENISE BRADSHAW, ESQ.

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24 603 Pine St.

25 Elko, NV 10521

26 *Attorney for Plaintiffs*

27 **ORDER**

28 Based on the parties' stipulation [ECF No. 29] and the magistrate judges' report &
recommendation [ECF No. 30], to which no objections were filed, IT IS HEREBY
ORDERED that the report and recommendation [ECF No. 30] is **ADOPTED** in full, and
the Clerk of Court is directed to **REMAND THIS ACTION** back to the Eighth
Judicial District Court, Clark County, Nevada, Case No. A-19-800961-C, Dept. 14,
and **CLOSE THIS CASE.**



U.S. District Judge 6-23-2020